

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DON D. LOVELL,

No. 6:20-cv-00804-SB

Plaintiff,

ORDER

v.

SAMANTHA BISHOP and
SHARON BROWN,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings and Recommendation on January 6, 2023, in which she recommends that this Court grant Defendants' motion for summary judgment.

F&R, ECF 82. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff timely filed objections to the Magistrate Judge's Findings and Recommendation. Pl. Obj., ECF 84.¹ When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

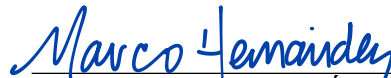
The Court has carefully considered Plaintiff's objections and concludes that there is no basis to modify the Findings and Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman's Findings and Recommendation [82]. Therefore, Defendants' Motion for Summary Judgment [66] is GRANTED.

IT IS SO ORDERED.

DATED: February 12, 2023.


MARCO A. HERNÁNDEZ
United States District Judge

¹ Plaintiff's filing was postmarked January 20, 2023, the date objections were due, and received on January 23, 2023, the next business day. ECF 84. Plaintiff received Judge Beckerman's Findings and Recommendation by mail. The Court treats Plaintiff's submission as timely filed. *See* Fed. R. Civ. P. 72(b)(2), 6(d); *Flagg v. Lynch*, No. CV16000118GFBMMJTJ, 2017 WL 4769116, at *1 n.1 (D. Mont. Sept. 20, 2017) (granting plaintiff three days beyond the statutory 14-day period to respond where F&R was served by mail).